

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 12-15 stand rejected under 35 USC §102(b) over Woolcott. Applicant respectfully disagrees since the MPEP and relevant case law require that a reference disclose exactly what an Applicant has claimed in order to support a §102 rejection. On one hand, the claims explicitly state that they are directed to a method of making an axial piston pump barrel, whereas the cited reference explicitly teaches something else. Since there is apparently no dispute that Woolcott fails to teach exactly what Applicant has claimed, Applicant respectfully requests that the outstanding §102(b) rejections be withdrawn. Despite what the Office Action asserts, Applicant's claim preamble is entitled to at least a scintilla of patentable weight, rather than being erased from the claim before the same is examined.

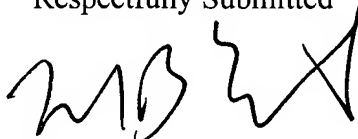
Even if the claim preamble can be fairly completely ignored when examining Applicant's claims, Applicant has amended independent claim 12 to make it clear that the central bore defined by the central bore core is fluidly isolated from the ring shaped cavity defined by the ring shaped core. There should be no dispute that, even if Woolcott could be mischaracterized in the way asserted in the Office Action, it explicitly teaches at column 3, lines 1-7 that its ring shaped cavity 7 is fluidly connected to the central bore via coolant openings 7a as shown in Figure 2. There should be now no dispute that there is no fair way to read Applicant's claims onto anything fairly taught by Woolcott. Therefore, Applicant again respectfully requests that the outstanding §102(b) rejections be withdrawn.

Claims 12-16 stand rejected under 35 USC §103(a) Over Woolcott. In addition, claims 17-20 stand rejected under 35 USC §103(a) over Woolcott in view of Chacin U. et al. Applicant respectfully disagrees, but believes to have rendered these rejections moot by the amendment to claim 12. In other words, since Woolcott explicitly teaches away from what Applicant claims, it can not support any §103 rejection against Applicant's claims. Therefore, Applicant respectfully requests that all of the §103(a) rejections that are based at least in part on Woolcott be withdrawn.

Applicants have amended the specification as per the Examiner's suggestion, and therefore request that the outstanding objection to the disclosure be withdrawn.

This application is believed to be in condition for allowance of claims 12-20. However, if the Examiner believes that some minor additional clarification would put this application in even better condition for allowance, the Examiner is invited to contact the undersigned attorney at (812) 333-5355 in order to hasten the prosecution of this application.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'MB McNeil', with a large 'X' mark to the right of the name.

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Reg. No. 35,949